

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

116th Street/White River Flood Gates	140
131st Street from Boone County Line to West Road	140, 171
186th Street from DeShane Avenue to Durbin Road	140, 171
191st Street	140
2004 Meeting Dates	143, 192
Acceptance of Bonds/Letters of Credit - Highway:	
HCHD #B-01-0081 - Bond Safeguard Insurance Company - Dura Builders	139, 156, 157
HCHD #B-03-0136 - SAFECO Insurance Company - Centex Homes	139, 156, 158
HCHD #B-03-0137 - The Ohio Casualty Insurance Company - RCV Construction	139, 156, 158
HCHD #B-03-0138 - Bond Safeguard Insurance Company - Precedent Residential Development	139, 156, 159
HCHD #B-03-0139 - Erie Insurance Company - RDJ Custom Homes	139, 156, 159
HCHD #B-03-0140 - Gulf Insurance Group - Roehling Enterprises	139, 156, 160
HCHD #B-03-0141 - Gulf Insurance Group Performance - Roehling Enterprises	139, 156, 161
HCHD #B-03-0142 - Gulf Insurance Group - Roehling Enterprises	139, 156, 161
HCHD #B-03-0143 - Gulf Insurance Group - Roehling Enterprises	139, 156, 162
HCHD #B-03-0144 - Bond Safeguard Insurance Company - Brenwick Development	139, 156, 162
HCHD #B-03-0145 - Bond Safeguard Insurance Company - Brenwick Development	139, 156, 163
Acceptance of Right of Way	140
Acceptance of Streets	140, 167
Administrative Assistant	143, 144
Agreements	139, 140, 142, 143, 165, 166
Agreements/Supplements	139
Amendment	143
Announcements	140
Appointment	143, 190
Approval of Minutes	139
Attorney	142, 144
Auditor	143
Bid Award	140, 173
Bid Opening	139
Bids	139, 140
Bond	139, 143
Bond Safeguard	139
Bonds	139, 143
Brenwick Development	139, 140
Bridge	139, 140, 143
Bridge #199, East Haven Drive over Kirkendall Creek	139, 166
Bridge #88 Supplemental Agreement No. 3	140, 166
Calumet Asphalt	139
Chapman Estates Cashier's Check	142, 188
Clerk's Monthly Report	143, 193
Commissioner Committee Reports	142
Commissioners Correspondence	143
Community Mental Health Services	143
Concurrence with Traffic Study Correspondence	140, 168-170
Consultant Selection - Various Small Structures	140
Contracts	142
Dedication of Public Right of Way	140, 172
Drainage Board	142
E&B Paving	139
Erie Insurance	139
Executive Session Memoranda	139, 145
Fox Hollow Estates	139, 145-146
Hazel Dell Status	140
Highway Business	139
Highway Luncheon	140
Hinkle Creek Estates	139, 150-151
IDEM Notice of Appeal Rights:	
Bridgewater Club Subdivision, Sections D1 & D2 - Westfield	144, 195-197
Carmel City Center - Carmel	144, 200-202
Fox Hollow at Geist, Section 2 - Noblesville	144, 203-204
Hawks Landing at Gray Eagle, Section 1 - Fishers	144, 205-207
Marina Village - Noblesville	144, 207-209
Oak Ridge Properties/Custom Concrete (Phase I & II) - Westfield	144, 209-211
The Bridgewater Club Subdivision, Section G1 - Westfield	144, 198-200
Town of Atlanta Lift Station - Atlanta	144, 212-214
IDEM Notice of Public Comment:	
PSI Energy Noblesville Generating Station	143, 194
IDEM Notice of Sewer Permit Applications:	
Brooks School Plaza - Fishers	144, 194
Oak Ridge Properties/Custom Concrete (Phase I & II) - Westfield	144, 194
The Reserve at Geist - Noblesville	144, 195
INDOT Traffic Controls Resolution SR 32 & Little Chicago Road .....	193, 194
Inspection Agreements	139, 186-188
Insurance	139, 144
Interlocal Agreement	142, 186-188
Intersection Improvements Along Ditch Road at 96th Street and 116th Street.....	139, 145

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

Intracostal at Geist, Section 3A 139, 151-152  
Jason Wise 139  
Keystone Ramp Ribbon Cutting Ceremony 140  
Laurel Lakes Subdivision, Sections 2 and 3 140, 167, 170  
Letters of Credit 139, 143, 190-192  
Liability Trust Claim 143  
Maintenance Bond 139  
Midland Lane 140  
Milestone Contractors 139, 140  
Official Actions 140, 170-172  
Open Road Cut Permits 139, 153-156  
Ordinance 142  
Payroll Claims 143  
PERF Benefit 141, 183-185  
Pictometry 140, 143, 174-176  
Pictometry Continued 143  
Plat Approvals 139  
Quit Claim Deed - Roudebush Hilltop, Inc. 143, 189-190  
Regulatory Signs 140, 170-172  
Release of Bonds/Letters of Credit - Highway:  
HCHD #B-03-0110 - Bond Safeguard Insurance Company - Wiehe Construction .....139, 163, 164  
HCHD #B-03-0111 - Bond Safeguard Insurance Company - Wiehe Construction .....139, 163, 164  
Reserve at Geist, Phase 1 139, 165  
Resolution 141, 142  
Right of Way 140, 143  
Right-of-Way 144  
Road Cut Permits 139  
Roudebush Hilltop Quit Claim Deed ..... 143, 184-190  
Rule 13 Interlocal Agreement 142, 186-188  
Safeco Insurance 139  
Sheridan Library Board Appointment .....143, 190  
Sheriff 141-144  
Snow/Flood Emergency Planning Meeting .....142  
Special Courthouse Hours 143  
Stormwater Phase II 142  
Subdivision Inspection Agreements .....139, 165  
Treasurer’s Monthly Report 143, 192-193  
Vehicles - Highway Department..... 140, 173-174  
Vendor Claims 143  
Village of West Clay, 9006A 139, 148-149  
Washington Township Assessor’s Building Lease..... 141, 177-183  
Washington Township Trustee Request .....143, 190  
West Carmel Center, Block B, Lot 1 ..... 139, 147-148

The Hamilton County Board of Commissioners met on Monday, October 27, 2003 in the Commissioner’s Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 12:15 pm. Vice President Steve Dillinger opened the public meeting at 1:11 pm. A quorum was declared present of Commissioner Steven C. Dillinger and Commissioner Christine Altman. Commissioner Steven A. Holt was absent. The Pledge of Allegiance was recited.

**Executive Session Memoranda:**  
Altman motioned to approve the October 27, 2003 Executive Session Memoranda. Dillinger seconded. Motion carried unanimously.

**Approval of Minutes:**  
Altman motioned to approve the October 13, 2003 minutes. Dillinger seconded. Motion carried unanimously.

**Jason Wise:**  
Dillinger recognized Jason Wise, whom just completed Green Beret training and is awaiting his orders. Dillinger thanked Jason for his service to his country.

**Bid Opening [1:13:15]**  
**Intersection Improvements Along Ditch Road at 96th Street and 116th Street:**  
Mr. Jim Neal opened the bids for intersection improvements along Ditch Road at 96th Street and 116th Street. Form 96, Non-Collusion Affidavit, Financial Statement were included unless otherwise specified. 1) Milestone Contractors - \$632,300.00. 2) Calumet Asphalt Paving - \$609,823.85. 3) E&B Paving - \$659,413.52. Mr. Neal requested the bids be forwarded to the Highway Department for review and recommendation at the October 31, 2003 meeting at the highway department. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Plat Approvals [1:17:25]**  
**Village of West Clay, 9006A:**  
**Hinkle Creek Estates:**  
**Fox Hollow Estates:**  
**West Carmel Center, Block B, Lot 1:**  
**Intracostal at Geist, Section 3A:**  
Mr. Steve Broermann requested approval of the following plats: Village of West Clay, 9006A; Hinkle Creek Estates; Fox Hollow Estates, West Carmel Center, Block B Lot 1; The Intracostal at Geist, Section 3A. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

**Highway Business [1:19:57]**.....

**Open Road Cut Permits:**

Mr. Jim Neal requested approval of Open Road Cut Permits: 1) RDCUT 2003-042 - Wilson Water Sewer Service Inc. at 100' east of Cornell Street on 108th Street to install city water. 2) RDCUT 2003-043 - Wilson Water Sewer Service Inc. 50' east of Cornell Street on 108th Street to install city water.

**Acceptance of Bonds/Letters of Credit - Highway:**

Mr. Neal requested acceptance of Bonds and Letters of Credit for the Highway Department: 1) HCHD #B-01-0081 - Bond Safeguard Insurance Company Rider Bond No. #SM 04673 issued on behalf of Dura Builders to reduce bond amount from \$104,233.20 to \$20,846.20 effective June 21, 2003. 2) HCHD #B-03-0136 - SAFECO Insurance Company Bond No. 6236234 issued on behalf of Centex Homes in the sum of \$10,000 for The Ridge of Hayden Run, Section one to expire October 10, 2004. 3) HCHD #B-03-0137 - The Ohio Casualty Insurance Company Bond No. 3-664-702 issued on behalf of RCV Construction Co., Inc. in the sum of \$5,000 to expire October 9, 2004. 4) HCHD #B-03-0138 - Bond Safeguard Insurance Company Bond No. 5006308 issued on behalf of Precedent Residential Development, LLC in the sum of \$5,000 to expire October 13, 2004. 5) HCHD #B-03-0139 - Erie Insurance Company Maintenance Bond No. Q94 5870101 issued on behalf of RDJ Custom Homes, inc. in the sum of \$23,733.80 for Hinkle Creek Estates street asphalt and concrete curbs to expire October 8, 2005. 6) HCHD #B-03-0140 - Gulf Insurance Group Performance Bond No. B2-1880571 issued on behalf of Roehling Enterprises, Inc. in the sum of \$28,674.40 for Lakeside Park, Section 2, binder and curb to expire October 10, 2005. 7) HCHD #B-03-0141 - Gulf Insurance Group Performance Bond No. B2-01180572 issued on behalf of Roehling Enterprises, Inc. in the sum of \$19,316.00 for Lakeside Park, Section 2 surface to expire October 10, 2005. 8) HCHD #B-03-0142 - Gulf Insurance Group Performance Bond No. B2-1880569 issued on behalf of Roehling Enterprises, Inc. in the sum of \$65,577.80 for Lakeside Park, Section 1 binder and curb to expire October 10, 2005. 9) HCHD #B-03-0143 - Gulf Insurance Group Performance Bond No. B2-1880570 issued on behalf of Roehling Enterprises, Inc. in the sum of \$36,714.00 for Lakeside Park, Section 1 surface to expire October 10, 2005. 10) HCHD #B-03-0144 - Bond Safeguard Insurance Company Maintenance Bond No. 5007027 issued on behalf of Brenwick Development Company in the sum of \$4,733.00 for Village of West Clay, Section 9006-A, asphalt and curbs to expire October 20, 2006. 11) HCHD #B-03-0145 - Bond Safeguard Insurance Company Performance Bond No. 50070016 issued on behalf of Brenwick Development Company, Inc. in the sum of \$199,941.60 for construction of Bridge No. 199 Timber Bridge Package and installation to expire October 16, 2005. Altman motioned to accept. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Highway:**

Mr. Neal requested release of Bonds and Letters of Credit for the Highway Department: 1) HCHD #B-03-0110 - Bond Safeguard Insurance Company Bond No. 5001636 for curbs in Lakeside Park, Sections 1 and 2 on behalf of Weihe Construction Inc.. 2) HCHD #B-03-0111 - Bond Safeguard Insurance Company Bond No. 5001635 for asphalt in Lakeside Park, Section 1 and 2 on behalf of Weihe Construction, Inc. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Agreements/Supplements [1:21:47]**

**Subdivision Inspection Agreements:**

**Reserve at Geist, Phase 1:**

Mr. Neal requested approval of Subdivision Inspection Agreement, HCHD #A-03-0025, for Reserve at Geist, Phase 1 between Hamilton County and RQAW (engineer) and Mac’s Landing, LLC (developer) in an amount not to exceed \$10,000.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Bridge #199, East Haven Drive over Kirkendall Creek:**

Mr. Neal requested approval of Subdivision Inspection Agreement, HCHD #A-03-0024, for Bridge #199, East Haven Drive over Kirkendall Creek. The agreement is between Hamilton County and USI Consultants, Inc. (engineer) and Brenwick Development/Noble West, LLC (developer) in a not to exceed amount of \$8,900.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Bridge #88 Supplemental Agreement No. 3:**

Mr. Neal requested approval of Supplemental Agreement No. 3, HCHD #E-01-0014, for Bridge #88, carrying Lacy Road over Long Branch Creek between Hamilton County and DLZ. The supplement is in the amount of \$2,200.00 with a total not to exceed of \$92,730.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Streets [1:23:35]**

**Laurel Lakes Subdivision, Sections 2 and 3:**

Mr. Neal requested acceptance of streets in Laurel Lakes Subdivision, Sections 2 and 3 for total miles of 1.1 miles. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Concurrence with Traffic Study Correspondence: [1:24:18]**

Mr. Neal requested approval of a list of correspondence concerning investigations of requests for signage on Hamilton County roads. The highway department requests concurrence on the letters to Samantha Berry and Rob Musselman and table the letter to Steve Hood until Friday’s meeting when Commissioner Holt can be present to discuss this letter. Altman motioned to approve the letter to Samantha Berry, requesting a Stop Sign, Caution Sign or Speed Bump at 104th Street and Ethel Street in Clay Township. The highway department recommends not installing a Stop Sign or speed bump. They will be installing a “Side Street” warning sign on Ethel Street for southbound traffic. Altman stated she would like a clause added to the letter stating that if we are incorrect on the intersection that she let us know immediately. Dillinger seconded. Motion carried unanimously. Altman motioned to approve the letter to Rob Musselman, who requested a Speed Limit & Children at Play sign on 186th Street from DeShane Avenue to Durbin Road in Wayne Township. The highway department does not install “Children at Play” sign. Speed limit signs will be posted, with a 40 mph speed limit. Dillinger seconded. Motion carried unanimously. Altman motioned to table the letter to Steve Hood until Commissioner Holt can be present. Dillinger seconded. Motion carried unanimously.

**Official Actions [1:26:58]**

**Regulatory Signs:**

**Laurel Lakes Subdivision, Sections 2 and 3:**

Mr. Neal requested approval of an official action to install regulatory signs in Laurel Lakes Subdivision, Sections 2 and 3. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**186th Street from DeShane Avenue to Durbin Road:**

Mr. Neal requested approval of an official action to install regulatory signs on 186th Street from DeShane Avenue to Durbin Road. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**131st Street from Boone County Line to West Road:**

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

Mr. Neal requested approval of an official action to install regulatory signs for a permanent speed limit on 131st Street from West Road to the Boone County Line. This will change the speed limit from 25 to 45 mph. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Right of Way** [1:28:37]

**Midland Lane:**

Mr. Neal requested approval of a dedication of public right of way for Bridge #199, Midland Lane over Kirkendall Creek from Brenwick Development/Noble West, LLC. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Bid Award** [1:29:13]

**Vehicles - Highway Department:**

Mr. Brad Davis requested the bids for the purchase of highway vehicles be awarded as follows: Crew Cab Trucks award to Mike Raisor Ford, Lafayette for the purchase of two crew cab, stake bed trucks at \$31,489.00 each for a total of \$62,978.00. Utility Vehicle award to Dan Young Chevrolet, Tipton for the purchase of one Chevrolet Blazer LS at \$21,210.43. Sedan award to Don Hinds Ford, Fishers for the purchase of one Ford Taurus at \$13,843.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Consultant Selection - Various Small Structures:**[1:30:36] .....

Mr. Neal requested consultant selection for various small structures - 256th Street over Taylor Creek, Craig Avenue over Schuller Ditch, Anthony Road over a branch of Isaac Jones Ditch. Altman asked that this be deferred to Friday's meeting.

**Announcements** [1:31:48]

**Keystone Ramp Ribbon Cutting Ceremony:**

Mr. Neal stated the ribbon cutting ceremony for the Keystone Ramp will be on Friday, October 31st at 1:30 pm.

**191st Street:**

Mr. Neal stated 191st Street is open.

**131st Street:**

Mr. Neal stated 131st Street will be opening this afternoon with temporary pavement markings until the final surface can be put down later this week.

**116th Street/White River Flood Gates:**

Mr. Neal stated the flood gates for 116th Street over White River have been installed.

**Hazel Dell Status:**

Altman asked Mr. Neal to find out what the time line is for the Hazel Dell road project. Mr. Howard stated the commitment is that there will be two (2) travel lanes completed by winter. Mr. Neal will contact the City of Noblesville.

**Highway Luncheon:** [1:34:03]

Mr. Davis stated Milestone Contractors and Asphalt Materials are sponsoring a luncheon for the highway department on November 14, 2003 at the 4-H Fairgrounds. Mr. Davis requested permission to close the highway department for a couple of hours so all the employees could attend. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. [3:07:26] - Mr. Davis stated the luncheon will include a training session.

Dillinger called a break. [1:34:31]

Dillinger called the meeting back to order. [1:50:23]

**Pictometry:**

Mr. Larry Stout stated Pictometry is a series of aerial photography (both oblique and orthogonal) and a software system to utilize this. We believe the greatest benefit of Pictometry would be for emergency management, public safety people, assessors and the Plan Commission and Highway Department have expressed significant interest. The photographs are in color, if you can see people you can not tell if they are men or women and you can not see in windows. We will be prohibited from publishing any of this photography on the Internet by our contract with Pictometry. We will also be prohibited from distributing any of the photographs to anyone except local government agencies within the county. Pictometry has announced a price increase effective November 1, 2003. They have told us that if we can provide a letter of intent before November 1st they will freeze the price for us for an additional month so we can get a contract together. The GIS Policy Committee asked him to proceed with this. The price increase will be approximately 50%. At the current price we are looking at \$80,000.00 per year for a two year contract. We would be looking at a price increase of \$120,000 after November 1st. Altman stated Larry is also on the County Council agenda for an appropriation to cover the contract if we accept this. Altman stated it has received overwhelming support from the fire and police departments for the public safety aspects. The other item is that we have concurrence with the major jurisdictions in funding for over half of the cost through the Homeland Security Grant. Other parts would come from the Reassessment Fund and the E-911 Fund. Altman would recommend we adopt it for these reasons. Dillinger stated he believes it is an infringement, enough information is enough about people's lives. He is not sure this is not crossing that line. Sheriff Carter stated it is of critical importance that we understand the geography of the county. It can help public service. With the growth of the county and the availability of these photographs from the air it does not matter how it changes, particularly if the pictures are kept up to date. The ability for us to plan long-term and short-term for events that were unspeakable, this gives us a very specific, very close proximity of what we are planning for and what the egress and ingress will be. We have difficulty now getting around the county, we understand where things are and where the growth is, but to see it from the air, to understand evacuations, service of getting components from all different agencies to one spot will be very significant to us in the planning process. Altman stated one other aspect of the Homeland Security Grant is an allocation within that budget for external hard drives that will incorporate into each law enforcement laptop that can not only be used for Pictometry or any other reason for number crunching capacity. Every squad car on the road will have that access. From a fire fighting standpoint, it will allow them to calculate heights of buildings and structures to help them reach the fire situations and emergencies and protect their officers. In terms of privacy, she does not understand how it is infringing on anyone's privacy because the people involved in the photographs can not be identified. Mr. Stout stated the oblique photographs are not as detailed as the photographs the assessors take now from the ground of the fronts of buildings. Sheriff Carter stated he does not see this as any different than the IDEX system where we have the ability to access data and information about individuals. It is critical that we monitor and manage that so people don't abuse it. Larry has addressed this concern very well and we will make sure that there is policy and procedure in place for the officers that are going to access the data. Dillinger stated from a cost benefit, we are talking \$80,000 the next 2 years and it will go up 50% after that. Mr. Stout stated no, the contract puts limits on the increase of the price. Once we sign a contract it fixes the price for the first four years and then the increase is limited to 10% per year after that. The two year contract locks the price for four years, if we renew and limits the increase beyond that to 10% per year. Altman asked what is the cost to fly the county for the photographs we take for assessing? Mr.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

Stout stated it is approximately \$230,000.00 for black and white, the color orthos are closer to \$300,000.00. Altman stated this technology is expensive, the assessors think this is well worth the investment. They would be able to view the buildings they are assessing from their computer to see if there are any changes. Mr. Stout stated the assessors are very excited about this product and they believe this would allow them to avoid some field work and when they do have to go to the field, their efforts would be more focused. Dillinger stated if we take the photos one time, how are they going to be able to see changes? Mr. Stout stated under this contract we would get photography each year. Dillinger asked Sheriff Carter if this is the best way to spend \$80,000.00 for public safety. Sheriff Carter stated there is a whole list that is important to us, he is not prepared to categorize those. Dillinger stated that is what this is about, there is only so much money. Is this \$80,000.00 better spent on this rather than other things, particularly coming from fees that they are being recommended they come out of. Altman stated the only part associated with law enforcement would be the Homeland Security Grant, which we are taking a total of \$160,000 allocated towards this project and upgrading all of the laptops. When you balance it out, less than half is requested from the Homeland Security Grant and the balance comes from reassessing, which is a direct user, and E-911. None of this money, other than an advancement towards that grant is coming out of the general fund and would not effect the Sheriff's budget. Dillinger stated the E-911 money effects law enforcement. Altman stated it effects communications. Altman stated we are facing a window where it would substantially increase, it is not just the increase for this year, it is the increase for the next four years and beyond. This is the window to accept or reject. The funding we have in place does not anticipate this kind of increase. If we don't do it now it will never be done and the opportunity lost. Dillinger asked Ms. Mills if we have determined the appropriateness of using E-911 funds for this? Ms. Mills stated the E-911 Committee meets Friday and we need to discuss it. It was determined that this is one of the uses that the funds could be used for. Sheriff Carter stated it could not be totally funded through E-911 monies because it would be used by other entities in county government. Altman stated we are looking at spending \$24,000 for architects to work on offices in this courthouse, there is a lot of money we spend at a governmental level and lots we question. This has received overwhelming support from the assessors, law enforcement and public safety people. Altman motioned to approve. Dillinger motioned to table until later in the meeting. Altman seconded the tabling motion to later in the agenda. Motion tabled.

**Washington Township Assessor's Building Lease:** [2:05:05]

Mr. Howard stated the Washington Township Assessor's Building Lease was tabled because it was a five year lease. Governmental units can not be obligated beyond a subsequent budget year. Mr. Howard stated under the terms of that language Ms. Jerolyn Ogle will be responsible to put the lease payment in her budget and if the county council does not fund it by September 15th she will provide notice to the landlord and her obligations will terminate at the end of the year. Altman motioned to execute the lease for the new offices for the Washington Township Assessor. Dillinger seconded. Motion carried unanimously.

**PERF Benefit:** [2:07:43]

Ms. Sheena Randall stated at the last meeting she made a presentation regarding a benefit that PERF is offering that allows employees to enroll up to 10% of their annual gross wage on a pre-tax basis. PERF has several provisions - employees must be active and in a PERF covered position. They have to have five (5) years service time before June 30th of the year the resolution would be adopted. They have a two year window to enroll beginning September 1st following the date of their eligibility. There were questions regarding how that benefit would affect an IRA account and how it would affect our current deferred comp plan. Mr. Ditslear prepared a packet with that information and it states it would not affect either of those plans. Mr. Ditslear stated a person could contribute to the PERF tax deferred as well as max out in the 457. 457 is 100% of income up to \$12,000.00 per year. Next year will be up to a maximum up to \$13,000.00. A person could also contribute to the pre-tax PERF benefit. Regarding IRA's, if you are in an employee sponsored plan you can deduct an IRA, however there are limitations for single and married filing. \$43,000.00 for singles adjusted gross income and \$63,000.00 for married couples. Any income above that, a traditional IRA is not deductible. Altman asked what about SEP (Simplified Employee Pension)? Mr. Ditslear stated SEP is a separate entity. 457, which is a government employer sponsored retirement plan. They are separate. Mr. Howard stated if you are in the employee sponsored plan, what does that do to potential for SEP? Mr. Ditslear stated SEP could only be from income derived from a non-government enterprise. Altman asked if you have someone who has a business on the side, they can still contribute towards their SEP? Mr. Ditslear stated yes. Mr. Howard stated as long as there is separate reporting of the income. Mr. Ditslear stated right. Ms. Randall stated currently there are 30 employees that are contributing to PERF as additional voluntary contribution. Ms. Randall stated she has a letter from PERF stating that 67 out of the 92 counties have adopted a resolution, including the State of Indiana. Altman asked if this resolution only opens the door for additional voluntary and it is cost mutual to the county? Ms. Randall stated yes. Altman motioned to approve. Dillinger seconded. Dillinger asked Mr. Ditslear if there are any negatives to approving this? Mr. Ditslear stated no, it will need to be explained well to the employee. There are inflexibilities. One of them is to change anything you have to terminate, retire or die. Motion carried unanimously.

**Commissioner Committee Reports** [2:12:38]

**Snow/Flood Emergency Planning Meeting:**

Altman stated they held their first snow/flood emergency planning meeting. Attending were Larry Stout, Bob Hendericks, David Bice, Sheriff Carter, Surveyor, Highway and herself. In terms of trying to organize county resources in a more efficient manner and organize how we would address those situations at a county level. Altman stated it was the consensus of the committee, when approaching a snow or flood situation, that it would be helpful to isolate emergencies by quadrant in the county. Most importantly would be snow emergencies, where we would issue an advisory or emergency. We would use SR 19 as the divider for the northern part. SR 32 as the east-west divider and the river south of SR 32 as the divider. The other concept was, the reason we don't want vehicles on the road in snow emergencies is because they get stuck and clog up our plowing situation. We could take a different approach rather than closing county roads or saying stay off, issue the advisory that it is very dangerous and it is recommended that you don't drive your car, if you do and your car is disabled we will remove it in any means possible, if we can do that. We don't want to waste county resources trying to get disabled vehicles off the county roads at our expense if we need to take them off in another manner and forego the penalty of \$2,500. Dillinger stated we need the law of closing down the road. Mr. Howard stated what the law would deem is a commercially reasonable to remove the car would be to call a wrecker company. Calling a wrecker company when there is a snow emergency, could be 3-4 hours. Dillinger stated the wrecker may not be able to get to them. Mr. Howard stated the only way you will be able to remove them is to call a wrecker. As far as the highway department is concerned, the way to move them out of the way is to keep the plow going. That would result in liability and he would not recommend it. Altman asked with a stated ordinance? Mr. Howard stated he does not think even with a stated ordinance, the court would not allow you to believe it is reasonable. Altman stated we close the roads all the time and people are still on them. Dillinger stated we should enforce our ordinance, maybe different levels of an emergency. We need geographical definitions and our authority definition. Altman stated we discussed that and the concurrence was that people will not understand if they are in the county or the city. It would not be effective. Sheriff Carter stated public education will be crucial. People do not understand where they are, they

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

do not understand that it is a county ordinance, not a town ordinance and they ask us how are they going to get to work, or who is going to compensate me or the business owner saying you would not allow my employees to come to work and you have effected our work. We talked about the public education component and we thought the best way to do it is to simplify it and make very specific geographical areas. We would all agree that in 2004, the need for a snow emergency in the southern part of the county is pretty null, but it is appropriate in the northern part of the county. The realistic side of enforcing the ordinance is going to be very difficult. He can't think of a time last year when we had a road that was impassable because of a stalled vehicle. We would like to simplify the ordinance, not have levels because it is difficult to let people know what the levels are and to let them know that if you drive on them there is a good chance that you will be disabled. If we are looking at the property we are looking at the wrong thing. We need to look at the safety of the people that are within the vehicles. If there is a problem with vehicles stalled in the roadway, in all his years he can't think of a time we could not get around somehow. Dillinger stated we have had some of those times. Dillinger stated another aspect is a comment was made by a person who lost a daughter due to snow, that we as public officials have a responsibility to close the road because it is a dangerous situation. Altman stated we also talked about having a dedicated public safety phone line in the county that we would direct all calls to. We are trying to come up with a complete package. Sheriff Carter stated we discussed closing the road with teeth in the ordinance, but there are also scenarios where people need to move, they need to get to a doctor, get medication, etc. Right now they don't understand what the vehicle is to get it done. There are two sides to totally closing it. If we close it, that is fine, but we need to understand that if someone needs something, we as public safety officials have a responsibility to help them. Dillinger stated we always have. Altman stated we are also coming up with a solid list of vehicles and come up with a resource list of 4-wheel drives, where they are located, who has them, how many have been fitted for snow plows so we can come up with a policy when an emergency or a certain level is declared so we can determine who has certain responsibilities. Dillinger stated a snow emergency phone number needs to be identified for information.

**Stormwater Phase II:** [2:29:09]

Altman stated regarding the contracts for Stormwater Phase II, Soil and Water already does most of the things on one education component and soil erosion. The Surveyor's office and Soil and Water have been negotiating on a memorandum of understanding. She personally prefers the Surveyor's contract because it agrees that Soil and Water will do these functions because we have to meet the requirements of Phase II. Altman asked if the contracts have to be done today? Mr. Howard stated the interlocal agreement between Hamilton County, Cicero and Carmel, for submission, needs to be completed today. There is a deadline of November 4, 2003. Mr. Robert Thompson stated the implementation of services is in the future. This agreement states that we are going to cooperate and abide by Rule 13 and within the next 12 months we will develop specific interlocal agreements to share some responsibility and the costs. Mr. Howard stated this interlocal agreement states that Hamilton County, Carmel and Cicero will submit a joint application, that the costs of submission of application will be set out based on population. Each unit will be responsible for implementation and controlling and monitoring and identifying discharges in their area. Altman stated in terms of Soil and Water, that contract can be deferred? Mr. Thompson stated as he understands it, it could be part of the interlocal agreements that are developed during the 12 months. Altman motioned to approve the interlocal agreement between Carmel, Cicero and Hamilton County as presented, subject to funding. Dillinger seconded. Motion carried unanimously.

**Attorney** [2:26:11]

**Chapman Estates Cashier's Check:**

Mr. Howard stated at the Drainage Board meeting today there was an agreement between Hamilton County Surveyor and Barry Chapman for Chapman Estates regarding a Cashier's Check being submitted in lieu of Bond or Letter of Credit. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Quit Claim Deed - Roudebush Hilltop, Inc.:**

Mr. Howard requested approval of a Quit Claim Deed and Amendment to Extinguishment of Ingress and Egress Rights between Roudebush Hilltop, Inc. and Hamilton County for land located in the southeast quadrant of 116th Street and Olio Road. The property owner is conveying additional right of way of 7.4 acres. In addition there is an agreement to modify a limited access restriction from a previous agreement. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Administrative Assistant** [2:39:13]

**Special Courthouse Hours:**

Mr. Fred Swift stated the Treasurer and Clerk have requested special hours for tax payments and absentee voting. Altman motioned to approve it as to facilities, as to overtime and pay will have to be dealt with County Council. Dillinger seconded. Motion carried unanimously.

**Sheridan Library Board Appointment:** [2:40:53]

Mr. Swift stated the appointment for Gayla McMurtry for the Sheridan Public Library Board expires in November. Altman motioned to reappoint Ms. McMurtry. Dillinger seconded. Motion carried unanimously.

**Washington Township Trustee Request:** [2:41:30]

Mr. Swift stated the Washington Township Trustee has requested the payments from the Village Park Redevelopment Bonds of 1993 and the 146th Street Bridge Project be extended for the remaining life of the TIF District, which will end in 2005. The payments are \$26,000 annually. These monies will be used to purchase additional and replacement fire equipment. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Community Mental Health Services:** [2:45:10]

Altman stated she has requested Mr. Howard to look at the procedure necessary to expand the providers for mental health services. It is substantially clear that more than half of BehaviorCorp clients are outside our jurisdiction, but we contribute far more than half of the mandatory fees. She has confirmed with Karen Beaumont that she thinks it would be appropriate to expand our base of community mental health and she would like to see if we could fund any of the mental health issues that we deal with in the Juvenile Center and some of the programming out of this funding. Mr. Howard asked who would be the person that would have the information of amounts paid, service level, etc. Altman stated Madonna Roach and Karen Beaumont.

Dillinger called a recess. [2:47:59]

Dillinger called the meeting back to order. [2:58:07]

**Pictometry Continued:**

Dillinger asked Mr. Stout if we did not renew our contract for Pictometry, do we get to keep the photos? Altman stated no, we do not own the photography.

**Sheriff** [3:01:21]

Sheriff Carter stated there have been 3 armed bank robberies on Michigan Road at this time. No one has been injured and there is a manhunt ongoing.

**Auditor** [3:02:00]

HAMILTON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 27, 2003 - INDEX

**Liability Trust Claim:**

Ms. Robin Mills requested approval of a Liability Trust Claim payable to St. Paul Companies in the amount of \$609.80. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**2004 Meeting Dates:**

Ms. Mills requested approval of the 2004 Meeting Dates. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Treasurer's Monthly Report:**

Ms. Mills requested acceptance of the September 2003 Treasurer's Monthly Report. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. Altman asked if we are currently reconciling in the Treasurer's's office? Ms. Mills stated that is what she has been told.

**Clerk's Monthly Report:**

Ms. Mills requested acceptance of the September 2003 Clerk's Monthly Report. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Payroll Claims:**

Ms. Mills requested approval of the Payroll Claims for the period of September 29, 2003 - October 12, 2003 paid October 24, 2003. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Vendor Claims:**

Ms. Mills requested approval of the Vendor Claims to be paid October 28, 2003. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Pictometry Continued:** [3:03:50]

Dillinger asked Mr. Stout if we decide to not renew the Pictometry contract, what do we own? Mr. Stout stated there is an option to pay a small percentage to continue using the software. If we cut the money completely none of it will belong to the county. If an assessor downloads a picture of a home, is it our picture? Mr. Stout stated no. Mr. Stout stated anything that is ours now, will continue to be ours. Any photos taken from this contract would not belong to the county. Altman asked if we printed a picture, could we keep it? Mr. Stout stated he believes we could keep the print out. Mr. Howard asked if it is on our server, is it public domain? Mr. Stout stated no. If we wanted to provide these to the public, we would have to pay a royalty. Dillinger motioned to take it off the table. Altman seconded. Motion carried unanimously. Altman motioned to approve the letter of intent to secure pricing, subject to temporary funding by the county council on advancement of the Homeland Security Grant. Dillinger seconded. Motion carried unanimously.

Altman motioned to adjourn. Dillinger seconded. Motion carried unanimously. [3:07:54]

**Commissioners Correspondence**

IDEM Notice of Public Comment:

PSI Energy Noblesville Generating Station

IDEM Notice of Sewer Permit Applications:

Brooks School Plaza - Fishers

Oak Ridge Properties/Custom Concrete (Phase I & II) - Westfield

The Reserve at Geist - Noblesville

IDEM Notice of Appeal Rights:

Bridgewater Club Subdivision, Sections D1 & D2 - Westfield

The Bridgewater Club Subdivision, Section G1 - Westfield

Carmel City Center - Carmel

Fox Hollow at Geist, Section 2 - Noblesville

Hawks Landing at Gray Eagle, Section 1 - Fishers

Marina Village - Noblesville

Oak Ridge Properties/Custom Concrete (Phase I & II) - Westfield

Town of Atlanta Lift Station - Atlanta

**Present**

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Doug Carter, Sheriff

Brad Davis, Highway Director

Jim Neal, Highway Engineer

Virginia Hughes, Administrative Assistant to Highway Engineer

Robert Chadwell, Highway Inspector

Steve Broermann, Highway Technical Engineer

Tim Knapp, Highway Right-of-Way Specialist

Joel Thurman, Highway Project Engineer

Matt Knight, Highway Staff Engineer

Mike McBride, Small Structure Staff Engineer

Faraz Hahn, Highway Department

Kathy Howard, Highway Department

Bob Davis, Highway Department

Becki Wise, USI

Jason Wise, guest

Jeff Hill, The Corradino Group

Dennis Neidigh, EDIS

Larry Stout, GIS Manager

Jerolyn Ogle, Washington Township Assessor

John Ditslear, Insurance

Sheena Randall, Human Resources

Robert Thompson, Surveyor's office

Robin M. Mills, Auditor